

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JUANITA S. BROOKS, §
§
Plaintiff, §
§
v. § Civil Action No. H-07-4328
§
O'REILLY AUTOMOTIVE, INC., §
HI-LO AUTOMOTIVE, INC., *and* §
HI-LO MANAGEMENT CO., §
§
Defendants. §

ORDER

Pending before the Court is Defendant O'Reilly Automotive, Inc., Hi-Lo Automotive, Inc., and Hi-Lo Management Company's Motion for Summary Judgment and Brief in Support (Document No. 23). Having considered the motion, submissions, and applicable law, the Court determines the motion should be denied. Accordingly, the Court hereby

ORDERS that Defendant O'Reilly Automotive, Inc., Hi-Lo Automotive, Inc., and Hi-Lo Management Company's Motion for Summary Judgment and Brief in Support (Document No. 23) is DENIED.

SIGNED at Houston, Texas, on this 16 day of July, 2009.


DAVID HITTNER
United States District Judge